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Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,474, 15 ta' Settembru, 2015
Taqsima B

L.N. 294 of 2015

PLANT QUARANTINE ACT (CAP. 433)

Seeds of Agricultural Plants and Vegetables (Amendment) Regulations, 2015

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

Citation and scope.

1. (1) The title of these regulations is the Seeds of Agricultural Plants and Vegetables (Amendment) Regulations, 2015, and these regulations shall be read and construed as one with the Seeds of Agricultural Plants and Vegetables Regulations, hereinafter referred to as "the principal regulations".

S.L. 433.21

(2) The scope of these regulations is to transpose Commission Implementing Directive 2013/63/EU amending Annexes I and II to Council Directive 2002/56/EC as regards minimum conditions to be satisfied by seed potatoes and lots of seed potatoes and part of Commission Implementing Directive 2014/21/EU determining minimum conditions for pre-basic seed potatoes.

Amends regulations 3 of the principal regulations.

2. Immediately after the definition "marketing" in regulation 3 of the principal regulations, there shall be added the following new definitions:

" "mother plant" means an identified plant from which material is taken for propagation;

"micro-propagation" means the practice of rapidly multiplying plant material to produce a large number of plants using culture *in vitro* of differentiated vegetative buds or meristem taken from a plant;".

Amends Section III of Schedule II to the principal regulations.

3. Section III of Schedule II to the principal regulations shall be substituted by the following:

"III. Seed Potatoes

Pre-basic seed potatoes

Minimum conditions for pre-basic seed potatoes

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1. Pre-basic seed potatoes shall satisfy the following minimum conditions:

(a) they derive from mother plants which are free from the following harmful organisms: *Pectobacterium* spp., *Dickeya* spp., Potato leaf roll virus, Potato virus A, Potato virus M, Potato virus S, Potato virus X, and Potato virus Y;

(b) they are free from symptoms of blackleg;

(c) the number of growing plants not breeding true to the variety and the number of plants of a different variety together shall not exceed 0.01%;

(d) in the direct progeny, the number of plants showing symptoms of virus infection shall not exceed 0.5%;

(e) the number of growing plants with mosaic symptoms or symptoms caused by leaf roll virus shall not exceed 0.1%;

(f) the maximum number of field generations shall be four.

2. Compliance with the requirements of paragraph 1(b), (c) and (e) shall be established through official field inspections. In case of doubt, those inspections shall be supplemented by official tests on leaves.

Where methods of micro-propagation are used, compliance with point 1(a) shall be established by official testing or testing under official supervision, of the mother plant.

Where methods of clonal selection are used, compliance with point 1(a) shall be established by official testing or testing under official supervision, of the clonal stock.

Basic and certified seed potatoes

Minimum conditions to be satisfied by basic and certified seed potatoes

1. Basic seed potatoes shall satisfy the following minimum conditions:

(a) on official inspection of the growing plants,

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the number affected by blackleg shall not exceed 1.0%;

(b) the number of growing plants not breeding true to the variety and the number of plants of a different variety shall, together, not exceed 0.1% and in the direct progeny, shall, together, not exceed 0.25%;

(c) in the direct progeny the number of plants with symptoms of virus infection shall not exceed 4.0%;

(d) on official inspections of the growing plants, the number of plants with mosaic symptoms and the number of plants with symptoms caused by leaf roll virus shall, together, not exceed 0.8%.

2. Certified seed potatoes shall satisfy the following minimum conditions:

(a) on official inspection of the growing plants, the number affected by blackleg shall not exceed 4.0%;

(b) the number of plants not breeding true to the variety and the number of plants of a different variety, shall, together, not exceed 0.5% and in the direct progeny, shall, together, not exceed 0.5%;

(c) in the direct progeny the number of plants with symptoms of virus infection shall not exceed 10.0%;

(d) on official inspections of the growing plants, the number of plants with mosaic symptoms and the number of plants with symptoms caused by leaf roll virus shall, together, not exceed 6.0%.

3. The tolerances allowed under paragraph 1(c) and (d), and paragraph 2(c) and (d) shall only be applicable where the viral diseases are caused by viruses that are prevalent in Europe.

4. The maximum number of generations of basic potatoes shall be four and the combined generations of pre-basic potatoes in the field and basic potatoes shall be seven.

The maximum number of generations of certified seed potatoes shall be two.

If the generation is not indicated on the official label, the potatoes concerned shall be considered as belonging to the

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maximum generation that is permitted within the respective category.".

Amends Section III of Schedule III to the principal regulations.

4. Section III of Schedule III to the principal regulations shall be substituted by the following:

"III. Seed Potatoes

Pre-basic seed potatoes

Minimum conditions for lots of pre-basic seed potatoes

Pre-basic seed potatoes shall satisfy the following minimum conditions:

(a) presence of earth and extraneous matter shall not exceed 1.0% by mass;

(b) the number of potatoes affected by rots, other than ring rot or brown rot, shall not be present in a quantity exceeding 0.2% by mass;

(c) the number of potatoes with external blemishes, including misshapen or damaged tubers, shall not exceed 3.0% by mass;

(d) the number of potatoes affected by common scab over more than one third of their surface, shall not exceed 5.0% by mass;

(e) the number of potatoes affected by black scurf over more than 10.0% of their surface, shall not exceed 1.0% by mass;

(f) the number of potatoes affected by powdery scab over more than 10.0% of their surface, shall not exceed 1.0% by mass;

(g) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf, shall not exceed 0.5% by mass;

(h) the total number of potatoes, as referred to in sub-paragraphs (b) to (g), shall not exceed 6.0% by mass.

Basic and certified seed

Minimum quality conditions for lots of basic and certified seed potatoes

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The tolerances allowed for the following impurities, blemishes and diseases allowed for seed potatoes are the following:

(a) presence of earth and extraneous matter: 1.0% by mass for basic seed potatoes and 2.0% by mass for certified seed potatoes;

(b) dry and wet rot combined, except if caused by *Synchytrium endobioticum*, *Clavibacter michiganensis* subsp. *sepedonicus* or *Ralstonia solanacearum*: 0.5% by mass of which wet rot 0.2% by mass;

(c) external blemishes, e.g. misshapen or damaged tubers: 3.0% by mass;

(d) common scab affecting tubers over more than one third of their surface: 5.0% by mass;

(e) black scurf affecting tubers over more than 10.0% of their surface: 5.0% by mass;

(f) powdery scab affecting tubers over more than 10.0% of their surface: 3.0% by mass;

(g) shrivelled tubers due to excessive dehydration or dehydration caused by silver scurf: 1.0% by mass.

Total tolerance for sub-paragraphs (b) to (g): 6.0% by mass for basic seed potatoes and 8.0% by mass for certified seed potatoes.".

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